

REMARKS

As a preliminary matter, Applicant respectfully requests entry of this amendment because no new issues are raised by the proposed claim amendments. More specifically, the amendment to independent Claim 1 is merely the inclusion of the subject matter of dependent Claim 6 therein; the amendment to independent Claim 10 is merely the inclusion of the subject matter of dependent Claim 16 therein, and the amendment to independent Claim 19 is merely the inclusion of the subject matter of dependent Claim 21 therein. Since the subject matter of amended Claims 1, 10 and 19 was considered when examining previous Claims 1, 10 and 19 and (now-canceled) dependent Claims 6, 16 and 21, Applicant respectfully submits that no new issues requiring further search or consideration are raised by the proposed claim amendments. Accordingly, entry of this amendment is proper, and such entry is respectfully requested.

Claims 1, 3-10 and 12-23 stand rejected under 35 U.S.C. § 102 (e) as being anticipated by United States Patent No. 6,708,342 to Boersema. Applicant notes that Claim 20 was cancelled, without prejudice, in Amendment A, thereby rendering this rejection moot with respect to this claim. Further, Applicant also notes that Claims 5, 6, 15, 16 and 21 are being cancelled with the entry of this amendment, thereby rendering this rejection moot with respect to these claims. However, with respect to Claims 1, 3, 4, 7-10, 12-14, 17-19, 22 and 23, Applicant respectfully traverses this rejection.

Applicant respectfully submits that all of the features of the present invention are not disclosed in the Boersema reference. More specifically, the Boersema reference does

not disclose an article of infant clothing that includes, *inter alia*, at least one protective device that includes “a removable insert of the soft padding; and a receiving pocket adapted to receive the insert, wherein the pocket includes a secure tab for securing the insert inside the pocket,” as defined in independent Claims 1, 10 and 19.

One example of an embodiment of such a removable insert(s) is shown in Figure 1. In particular, Figure 1 shows an example of a removable insert 32 that is used with an elbow protective device. Removable insert 32 is configured to be received within receiving pocket 34, which includes a secure tab 36 for securing the insert 32 inside the pocket 34. Additionally, Figure 1 also shows an example of a removable insert 42 that is used with a knee protective device. Removable insert 42 is configured to be received within receiving pocket 44, which includes a secure tab 48 for securing the insert 42 inside the pocket 44. By configuring the inserts in an easily removable manner, they can be removed so that they can be cleaned or replaced.

In contrast, the Boersema reference fails to disclose both an insert that is removable and a pocket with a secure tab for securing the insert within the pocket. Although Figures 5 and 6 of the Boersema reference include covers 159, which can arguably be considered as pockets, covers 159 each lack the claimed “secure tab for securing the insert inside the pocket,” as now defined in independent Claims 1, 10 and 19.

Further, and more importantly, pads 158 of Figures 5 and 6 of the Boersema reference are not “removable,” as recited in independent Claims 1, 10 and 19. Instead, pads 158 of Boersema are permanently attached to the garment by fastener means 160, which is

described as constituting “stitches or adhesive.” *See* Boersema, column 5, lines 5 and 13-14. Something that is attached via “stitches or adhesive” cannot reasonably be considered as being removable, as one of ordinary skill in the art would interpret this term in light of the Applicant’s specification. Accordingly, for at least these reasons, Applicant respectfully requests the withdrawal of this §102(e) rejection of independent Claims 1, 10 and 19, and associated dependent Claims 3, 4, 7-9, 12-14, 17, 18, 22 and 23.

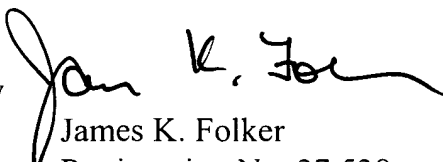
Additionally, Applicant also separately traverses dependent Claims 3 and 13 because the Boersema reference fails to disclose that the soft padding of the protective device comprises “a sufficient quantity of fabric materials to cover the [relevant] area with a soft and flexible light padding for protection during crawling.” Instead of disclosing such “fabric materials,” the Boersema reference merely discloses that the pad can consist of “a gel filled sack.” *See e.g.*, Boersema, column 5, lines 14-15. Accordingly, for this reason also, Applicant respectfully requests the withdrawal of this rejection of dependent Claims 3 and 13.

For all of the above reasons, Applicant requests reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference

would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By 
James K. Folker
Registration No. 37,538

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Suite 2500
300 South Wacker Drive
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978
P:\DOCS\4150\70202\942281.DOC